

COASTAL CONSERVANCY

Staff Recommendation

October 1, 2015

SAN FRANCISCO BAY TRAIL: PINOLE SHORES TO BAYFRONT PARK CONSTRUCTION

Project No. 14-008-06

Project Manager: Betsy Wilson

RECOMMENDED ACTION: Authorization for the Association of Bay Area Governments to disburse up to \$50,000 of previously granted Conservancy funds to the East Bay Regional Park District to construct an approximately 0.5-mile segment of the San Francisco Bay Trail between Pinole Shores and Bayfront Park in the City of Pinole, Contra Costa County.

LOCATION: Point Pinole Regional Shoreline, City of Pinole, Contra Costa County (Exhibit 1)

PROGRAM CATEGORY: San Francisco Bay Area Conservancy

EXHIBITS

Exhibit 1: [Project Location Maps](#)

Exhibit 2: [Project Photographs](#)

Exhibit 3: [Project Letters](#)

Exhibit 4: Final Environmental Impact Report (please find at
http://www.ebparks.org/about/planning#pinole_shores)

Exhibit 5: [Mitigation Monitoring and Reporting Program](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31160-31165 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the Association of Bay Area Governments (ABAG) to disburse up to \$50,000 (fifty thousand dollars) of previously granted Conservancy funds to the East Bay Regional Park District (District) to construct an approximately 0.5-mile segment of the San Francisco Bay Trail between Pinole Shores and Bayfront Park in the City of Pinole, Contra Costa County, subject to the following conditions:

1. Prior to the disbursement of funds, ABAG shall submit for the review and approval of the Executive Officer of the Conservancy a final work program, schedule and budget, and a grant agreement between ABAG and the District.

2. ABAG shall ensure installation of signs acknowledging the Conservancy and displaying the Conservancy logo in a manner approved by the Executive Officer.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with Chapter 4.5 of Division 21 of the Public Resources Code, regarding the improvement of public access to, within, and around the bay, coast, ridgetops and urban open spaces of the San Francisco Bay area.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
3. As a responsible agency, the Conservancy has independently reviewed and considered the information contained in the San Francisco Bay Trail: Pinole Shores to Bayfront Park Project Environmental Impact Report (EIR) certified by the District on January 10, 2012 pursuant to the California Environmental Quality Act, and finds that the proposed project, as modified by incorporation of the mitigation measures identified in the EIR, avoids, reduces or mitigates all of the possible significant environmental effects of the project to less than significant.”

PROJECT SUMMARY:

Staff recommends that the Conservancy authorize ABAG to disburse up to \$50,000 of previously granted Conservancy funds (known as “San Francisco Bay Trail Block Grant #5”) to the East Bay Regional Park District (District) to construct an approximately 0.5-mile segment of the San Francisco Bay Trail between Pinole Shores and Bayfront Park in the City of Pinole, Contra Costa County.

The proposed project is the extension of an existing Class I non-motorized, paved trail from a hillside bluff across from Hazel Lane in Pinole Shores east over the Union Pacific Railroad tracks to connect to an existing path in Bayfront Park. The alignment travels between the Union Pacific and Burlington Northern Santa Fe Railroad tracks for approximately 1,500 feet, then sweeps north and east on a 140-foot radius curve with a bridge of approximately 1,100-feet in length to cross over the Union Pacific Railroad tracks. The last segment of the trail parallels the Union Pacific Railroad tracks, traversing wetlands and marsh lands of San Pablo Bay, to connect with the existing path in Bayfront Park. The proposed trail alignment is located along the San Pablo Shoreline in Pinole.

The overall width of the proposed trail is 14 feet, consisting of a 10-foot-wide paved trail with a 2-foot-wide shoulder on each side. The proposed bridge is 12 feet wide between the railings. The maximum cross slope on the trail will be 2 percent to meet the Americans with Disabilities Act (ADA) standards. The maximum grade of the trail alignment will be 5 percent with an intermediate landing between Bay front Park and the proposed bridge. The landing will provide a scenic overlook to San Pablo Bay, a resting point for mobility-impaired individuals, and a viewpoint for train watchers.

The proposed trail segment will close a critical gap between Pinole Shores and Bayfront Park. Along with the Hercules Intermodal Transit Station project which includes a segment of the Bay Trail (currently under construction) and the Lone Tree Point Bay Trail project (currently in the planning process), this segment of trail will ultimately provide a connection from Pinole through Hercules to Rodeo while creating both a shoreline recreational opportunity and an alternative transportation corridor for these communities. This stretch of Bay Trail will also serve as a connection to a regional transit center when the Hercules Intermodal Station project is complete. Project construction is expected to begin in April 2017 and be complete by December 2017.

Site Description: The proposed trail alignment is located along the San Pablo Bay shoreline in the City of Pinole in west Contra Costa County. Surrounding land uses include residential development, the Pinole/Hercules Water Pollution Control Plant, the Union Pacific and Burlington Northern Santa Fe Railroad tracks, Bayfront Park, open space, and San Pablo Bay. Project photographs are included as Exhibit 2.

Much of the proposed trail alignment is located parallel to the existing Union Pacific railroad tracks at the edge of the railroad right-of-way. This area consists of a highly disturbed railroad bed with various weeds. The trail would traverse an area of hillside bluffs that support some willows, oaks, buckeyes, and coyote brush scrub. Isolated trees, woodlands, and grassland areas adjacent to the trail alignment provide suitable nesting habitat for raptor species and other shoreline birds.

The Union Pacific railroad corridor has two mainline tracks that carry over forty freight and passenger trains per day at moderate speeds (estimated at 30-55 mph). The railroad corridor is located along the shoreline with tracks at approximately 10 feet elevation, rising in elevation to approximately 50 feet and includes numerous curves and cuts through unstable hillsides. The Union Pacific right-of-way is not fenced, signed, or routinely patrolled for trespassers. School children, fishermen, and others frequently cross the tracks via the numerous informal trails and pathways that are present in the project area, creating a potentially unsafe condition. The railroad corridor directly abuts a large residential area, and effectively separates the residents of Pinole from the shoreline. As a result of this separation, safe passage to the shoreline is restricted to limited roadway crossings at the railroad tracks.

Project History: The proposed project is a San Francisco Bay Trail project, and is thus eligible for funding under the Conservancy's San Francisco Bay Trail Block Grant #5 authorization of May 29, 2014. The San Francisco Bay Trail is a non-motorized recreational corridor proposed to encircle San Francisco and San Pablo Bays with a continuous 500-mile network of bicycling and hiking trails. The corridor will connect the shoreline of all nine bay area counties, link 47 cities and eventually cross all the major toll bridges in the region. Approximately 330 miles of the Bay Trail alignment have been completed.

A key segment of the Bay Trail exists along the San Pablo Bay Shoreline within the City of Pinole between Pinole Shores and Bayfront Park. Nearly ten years ago, the District began to evaluate the alternatives for providing a trail alignment in this area. A report prepared by consultants in 2001 included alternatives for crossing two sets of railroad tracks within the Union Pacific and Burlington Northern and Santa Fe railroad right-of-ways but only one alternative was accepted by the City of Pinole. Subsequent to completion of these studies, Union Pacific informed the District and the City of Pinole that they might add a third track on the inland side of the existing tracks at a future date which would require additional setbacks from the railroad

tracks. Further discussions with Union Pacific led to the development of additional alignment alternatives with the proposed project alignment recommended for design.

PROJECT FINANCING

Coastal Conservancy	\$50,000
West Contra Costa County Transportation Advisory Committee (Sub-regional Transportation Mitigation Program funds)	500,000
U.S. Department of Transportation (TIGER II funds)	445,178
EBRPD (AA Bond funds)	781,000
EBRPD (WW Bond funds)	1,204,222
ABAG (Priority Conservation Area funds)	119,600
Caltrans (Active Transportation program funds)	<u>4,000,000</u>
Project Total	\$7,100,000

The Conservancy's contribution is proposed as a portion of a \$1,000,000 Conservancy grant to ABAG known as the San Francisco Bay Trail Block Grant #5, which was authorized on May 29, 2014. Conservancy funds for Block Grant #5 are derived from the "Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006" (Proposition 84, Public Resources Code Section 75001 et seq.). These funds are available for San Francisco Bay Area Conservancy Program projects that promote access to and enjoyment of coastal resources, and are thus appropriate for funding improvements to the San Francisco Bay Trail. (Public Resources Code Section 75060(c).)

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project is consistent with Chapter 4.5 of Division 21 of the Public Resources Code, Sections 31160-31165 regarding San Francisco Bay.

Consistent with Section 31162(a) and (c), the proposed project entails completion of a segment of the Bay Trail, which will improve public access to and around the bay, help implement the San Francisco Bay Plan and complete a regional trail system (the San Francisco Bay Trail), without adversely impacting agricultural operations, environmentally sensitive areas, or wildlife. Consistent with Section 31162(d), constructing this segment of Bay Trail will enhance public access to the Point Pinole Regional Shoreline, a natural area that is accessible to the urban populations of the Bay Area. Consistent with Section 31163(c), the proposed authorization will be used to fund an outdoor recreational project that is supported by adopted regional plans (East Bay Regional Park District Master Plan, the Bay Trail Plan, San Francisco Bay Plan, Contra Costa Countywide Bicycle and Pedestrian Plan, Contra Costa County General Plan, and San Francisco Bay Trail Plan), serves a regional constituency, can be implemented in a timely way, and includes significant matching contributions from other sources.

**CONSISTENCY WITH CONSERVANCY'S 2013 STRATEGIC PLAN
GOAL(S) & OBJECTIVE(S), AS REVISED JUNE 25, 2015:**

Consistent with **Goal 12, Objective E** of the Conservancy's 2013-2018 Strategic Plan, the proposed project helps to complete 0.5 miles of San Francisco Bay Trail.

Consistent with **Goal 12, Objective L** of the Conservancy's 2013-2018 Strategic Plan, the proposed project helps implement a segment of trail that will provide the public with barrier-free access to a natural area.

**CONSISTENCY WITH CONSERVANCY'S
PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on October 2, 2014, in the following respects:

Required Criteria

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
3. **Promotion and implementation of state plans and policies:** The proposed project serves to promote and implement the *San Francisco Bay Trail Plan*, which was prepared by ABAG pursuant to Senate Bill 100 in 1987. The plan for the Bay Trail proposes development of a regional hiking and bicycling trail around the perimeter of San Francisco and San Pablo Bays.
4. **Support of the public:** This project has received broad public support. See "Project Letters," Exhibit 3.
5. **Location:** The project is located in western Contra Costa County, which is one of the nine Bay Area counties served by the San Francisco Bay Area Conservancy Program.
6. **Need:** The Conservancy's funding provides the final piece of the budget and allows the project to move forward.
7. **Greater-than-local interest:** The Bay Trail is a regional, nine-county trail network that will be approximately 500-miles long when completed. This authorization will help further the completion of the trail, of which approximately 330 miles have been completed to-date.
8. **Sea level rise vulnerability:** The majority of the trail will be built at an elevation above projected sea level rise. Approximately 1,500 feet of the trail will be constructed on the hillside bluffs high above the bay. The approximately 1,100-feet-long bridge/elevated structure will range from 46 feet to 15 feet in elevation, which is above the predicted sea level rise of approximately 13.6 feet. However, the last segment of the trail that will land at the existing Bay Trail at Bayfront Park near the marshlands may be subject to flooding from future sea level rise. The portion of the trail subject to intermittent flooding in the future will be made of durable concrete materials that will withstand occasional inundation.

Additional Criteria

9. **Leverage:** See the “Project Financing” section above.
10. **Realization of prior Conservancy goals:** See “Project History” above.
11. **Minimization of greenhouse gas emissions:** During construction of the project, to reduce greenhouse gas emissions from construction equipment exhaust, the District will implement all feasible Best Available Control Technologies, which may include the following: use alternative or ultra-low sulfur fuel for construction equipment, employ catalyst-equipped diesel construction equipment, minimize equipment idling time, limit the hours of operation of heavy equipment, ensure all construction equipment used on the project is maintained in good working order, take construction materials that are not recyclable or re-usable to the nearest waste disposal facility, and give preference to building and trail maintenance materials that are locally or regionally extracted and manufactured.

CONSISTENCY WITH SAN FRANCISCO BAY PLAN:

The proposed project is consistent with the applicable policies contained in Part IV, Development of the Bay and Shoreline: Findings and Policies, of the San Francisco Bay Plan adopted by the San Francisco Bay Conservation and Development Commission (BCDC) in 1969, as amended.

Public Access Policy No. 9, page 69, states: “Access to and along the waterfront should be provided by walkways, trails or other appropriate means and connect to the nearest public thoroughfare where convenient parking or public transportation may be available. Diverse and interesting public access experiences should be provided which would encourage users to remain in the designated access areas to avoid or minimize potential adverse effects on wildlife and their habitat.” Consistent with Public Access Policy No. 9, the proposed project will provide access to and along the waterfront (Point Pinole Regional Shoreline), and will provide a diverse and interesting public access experience that will encourage users to remain in designated public access areas (trail will be clearly signed; scenic overlook landing will be provided on the bridge).

Public Access Policy No. 11, page 69, states that federal, state, regional and local jurisdictions, special districts and BCDC should cooperate to provide appropriately-sited, designed and managed public access, especially to link the entire series of shoreline parks, regional trail systems and existing public access areas to the extent feasible without additional Bay filling and without significant adverse effects on Bay natural resources. Closing gaps between existing public access areas is a high priority for funding. The proposed project is consistent with this policy because it provides appropriate and necessary trail improvements in connection with closing a gap in the Bay Trail, and does so without significant adverse effects on Bay natural resources.

COMPLIANCE WITH CEQA:

To comply with the California Environmental Quality Act (CEQA), the District prepared the San Francisco Bay Trail: Pinole Shores to Bayfront Park Project Environmental Impact Report (EIR) to evaluate the potential environmental impacts of the proposed project. The District certified the

EIR ([Exhibit 4](#)), approved the project and adopted a Mitigation, Monitoring and Reporting Program ([Exhibit 5](#)) on January 10, 2012.

The EIR identifies potential significant effects of the project in the areas of: Biological Resources; Cultural Resources; Geology, Soils, and Seismicity; Hydrology and Water Quality; Hazards and Hazardous Materials; Noise; Air Quality; and Global Climate Change. Mitigation measures are identified in the EIR to avoid, reduce or mitigate all of the possible significant environmental effects to less than significant. The project's significant effects and mitigation measures are set forth in the EIR and summarized in the attached Mitigation, Monitoring and Reporting Program.

- *Biological Resources*: The proposed project could result in direct and indirect impacts to federal and/or state listed plant and animal species, including California black rail, Ridgway's rail, and salt marsh harvest mouse. Mitigation measures to reduce potential impacts to special status species to less than significant include focused botanical surveys, biological monitoring during construction, preparation and implementation of a salt marsh harvest mouse avoidance plan, and project compliance with all state and federal permits.

In addition, project implementation will result in direct, temporary impacts to 0.036 acre of brackish marsh wetland and the potential to indirectly impact the other wetlands on the project site (there is a total of 0.09 acre of wetlands on the project site). Mitigation measures to reduce the impacts to wetlands to less than significant include restoration of the temporarily impacted wetlands through recontouring and revegetation, and preparation and implementation of a Stormwater Pollution Prevention Plan to prevent sediment, pollutants and concrete from entering the wetlands.

- *Cultural Resources*: Construction activities such as excavation and grading could affect a cultural resource, including an archaeological or paleontological resource, or human remains. Mitigation measures, including retaining a qualified archaeologist and paleontologist to monitor project ground-disturbing activities, will reduce potential impacts to less than significant.
- *Geology, Soils, and Seismicity*: Portions of the project site are underlain by soils that may be subject to settlement in response to changing seasonal moisture conditions. The proposed project could be subject to significant impacts related to strong seismic ground shaking, seismic-related ground failure and/or seismically induced landslides. In addition, the construction of retaining walls could cause slope instability. Mitigation measures to reduce potential impacts to less than significant include preparing a final, design-level geotechnical investigation report and implementing the recommended design criteria, preparing detailed retaining wall drawings and site-specific grading plans, and having a qualified engineering geologist monitor retaining wall installation and testing.
- *Hydrology and Water Quality*: Construction activities, including placement of trail material, grading, excavation, and pile drilling could result in discharge of sediment (and pollutants bound to sediment), asphalt materials, concrete, fuels, oils, paints, and solvents into San Pablo Bay. To reduce these potential impacts to less than significant, the District will comply with the statewide General Permit for Discharge of Storm Water Associated with Construction Activities, prepare and comply with a Storm Water Pollution Prevention Plan, and implement Best Management Practices during construction activities.

- *Hazards and Hazardous Materials:* Road construction activities will include the use of hazardous materials such as fuels, oils, lubricants, asphalt products, other petroleum products, and solvents. Mitigation measures to reduce potential impacts to less than significant include preparing and implementing a Health and Safety Plan and complying with Best Management Practices for containing hazardous materials and minimizing the contact of hazardous materials with rain and storm water runoff.
- *Noise:* Construction-period noise could be perceived as a nuisance to adjacent land uses, including residential and recreational uses. Mitigation to reduce potential impacts to a less than significant level include maintaining construction equipment in good working order, directing noise away from sensitive receptors, limiting the hours and days of noise producing activities consistent with City of Pinole ordinances, prohibiting unnecessary idling, and employing quieter pile installation methods.
- *Air Quality:* Temporary, localized emissions of Particulate Matter¹⁰ (PM₁₀) during construction have the potential to exceed ambient air quality standards and contribute to regional violations of the ambient air quality standards. The Bay Area Air Quality Management District (BAAQMD) has a list of construction dust control measures (sweeping, watering, etc.) that will be implemented for all construction phases to reduce these impacts to a less than significant level.
- *Global Climate Change:* Heavy equipment used during project construction could generate significant greenhouse gas emissions. Compliance with BAAQMD best management practices, including using alternative-fueled construction vehicles/equipment as feasible, using local building materials, and recycling at least 50 percent of construction waste, will reduce potential impacts to a less than significant level.

Conservancy staff has independently reviewed the EIR and recommends that the Conservancy, as a responsible agency, find that there is no substantial evidence that the project, as mitigated, will have a significant effect on the environment. Staff will file a Notice of Determination upon approval of the project.